

contract with the government of the United States in time of war in any branch of the army or navy of the United States; to prevent and prohibit the transportation of such liquors into such territory; to provide against application for suspended sentence in such cases; to prohibit the issuance of liquor licenses in such territory; to provide suitable punishments in such cases, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass with the following committee amendment:

Amend the bill, page 4, line 5, by striking out the words "its passage" and inserting in lieu thereof the following: "April 15, 1918."

PAGE, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 4, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Finance, to whom was referred

H. B. No. 21, A bill to be entitled "An Act making appropriation of two thousand dollars, as a fund to the Agricultural and Mechanical College at Bryan, Texas, for the purpose of experimenting and treatment of the Yucca Filamentosa, with the view of preparing same for stock food, this plant being in great abundance in the drouth stricken section of the State, and providing an emergency."

Have had the same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Caldwell, Vice-Chairman; Parr, Page, Dean, Bee, Decherd, Clark, Johnson, Hopkins.

EIGHTH DAY.

Senate Chamber,
Austin, Texas,
Wednesday, March 6, 1918.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Johnson, of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Collins.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent—Excused.

Hudspeth. McCollum.

Prayer by Rev. J. R. Nelson of Fort Worth.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Bills Signed.

The Chair, President Pro Tem. Decherd, gave notice of signing and did sign in the presence of the Senate, the following:

H. B. No. 10, A bill to be entitled "An Act to amend Article 611 of the Penal Code of Texas, adopted in 1911, so as to prohibit the sale of spirituous or vinous liquors in quantities of one gallon or less, without taking out a license as a retail liquor dealer; prescribing a penalty for the violation of this Act; providing that prosecutions under this Act shall have precedence upon the dockets of the district court; providing that persons convicted of violations of this Act shall not have the benefits of the suspended sentence act, and declaring an emergency."

H. B. No. 11, A bill to be entitled "An Act to amend Article 612 of the Penal Code of Texas, adopted in 1911, so as to prohibit the sale of malt liquors capable of producing intoxication, in quantities of one gallon or less without taking out a license as a retail malt dealer; prescribing a penalty for the violation of this Act; providing that prosecutions thereunder shall have precedence in the district court; providing that persons convicted for violations of this Act shall not have the benefit of the suspended sentence act, and declaring an emergency."

H. C. R. No. 3, Inviting Miss Marie Von Gastel to address the Thirty-fifth Legislature.

Messages from the House.

Hall of the House of Representatives.
Austin, Texas, March 5, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House Bill No. 10 by following vote, yeas 104, nays 1.

Concurs in Senate amendments to House Bill No. 11, by following vote, yeas 101, nays 4.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives.
Austin, Texas, March 6, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House does not concur in Senate amendments to House Bill No. 15, and requests the appointment of a Free Conference Committee.

The following have been appointed on part of the House: Messrs. Miller of Dallas, Thomason of El Paso, Johnson of Blanco, Spencer, Bledsoe.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Petitions and Memorials.

See Appendix.

Pending the reading of a petition offered by Senator Hall relating to the amendment of the Terrell Election Law, Senator Henderson made the point of order that such petitions should not be considered in as much as they refer to matters not before the Legislature.

Pending discussion, Senator Lattimore moved that such petitions as may be sent up by Senators protesting against changes in the election law be filed and a notation thereof be made in the Journal, and that the time of the Senate be not further taken up therewith.

Senator Page moved as a substi-

tute that such petitions be filed with the Board of Pardons.

Senator Bailey made the point of order that the motion offered by the Senator from Tarrant and the substitute offered by the Senator from Bastrop were out of order because in conflict with Rule 44 of the Senate Rules, and because such motion and substitute sought to change the rules of the Senate.

The Chair overruled the point of order of the Senator from DeWitt.

Senator Henderson made the point of order that the motion by the Senator from Tarrant and the substitute by the Senator from Bastrop are out of order for the reason that there is no such legislation pending before the Senate as is contemplated by the petitions.

The Chair submitted the point of order to the Senate and the same was sustained.

Committee Reports.

See Appendix.

Bills and Resolutions.

Simple Resolution No. 23.

Whereas, Hon. W. L. Alexander, State Treasurer of the State of Oklahoma and Hon. O. J. Logan, State Senator of Oklahoma, are in the city; therefore, be it

Resolved, That they be extended the privilege of the floor, and be invited to address the Senate.

HOPKINS.

DAYTON.

The resolution was read and adopted.

The Chair appointed Senators Hopkins and Dayton as a committee to escort the gentlemen to the president's stand, whereupon Hon. W. L. Alexander addressed the Senate, discussing the financial system of the State of Oklahoma.

Hon. O. J. Logan being presented to the Senate made a brief address.

Simple Resolution No. 24.

Whereas, The big hearted, generous, noble Texan and gallant Confederate soldier, Major George W.

Littlefield, of Austin, has so generously donated to our beloved State institution, the University of Texas, the famous John W. Wrenn Library, consisting of more than 5300 volumes at a cost of \$225,000.00, said to be one of the finest collections of Elizabethan literature in the world; and

Whereas, By this great gift, this distinguished citizen has placed the Library of the University of Texas in the front rank with the world's great libraries and has given most substantial assistance in building a greater University of Texas; therefore, be it

Resolved, That the Senate of Texas, on behalf of the people of the State, extend to Major George W. Littlefield our sincere thanks for his generosity and assure him that his gift will ever be cherished by our citizenship and given the best care.

Henderson, Caldwell, McNealus, Buchanan of Bell, Floyd, Smith.

The resolution was read and adopted.

Simple Resolution No. 25.

Whereas, Hon. C. A. Pippen, of Dallas, judge of Criminal District Court No. 2, is in the city; therefore be it

Resolved, by the Senate of Texas, That Judge Pippen be invited to address the Senate, and be accorded the privilege of the floor.

LATTIMORE.
McNEALUS.

The resolution was read and adopted.

Judge Pippen was presented to the Senate and made a brief address.

Recess.

At 12:15 o'clock p. m. Senator Hopkins moved that the Senate recess until 2:30 o'clock p. m. today.

As a substitute Senator Caldwell moved that the Senate adjourn until 10 o'clock tomorrow.

The substitute was lost.

The motion to recess was adopted, and the Senate recessed.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Decherd.

Petitions and Memorials.

Written motion.

I move that the petition from New Ulm, Texas, printed on page 53 in the Senate Journal of Friday, March 1, 1918, signed by E. C. Find, Robert Voigt and others be expunged from the permanent Senate Journal and be not made of public record in the files of said publication.

McNEALUS.

The motion was read and Senator Clark moved to table same, which motion was lost by the following vote:

Yeas—5.

Bee.	Parr.
Caldwell.	Woodward.
Clark.	

Nays—15.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Lattimore.
Collins.	McNealus.
Dean.	Smith.
Floyd.	Suiter.
Gibson.	Westbrook.
Hall.	

Present—Not Voting.

Bailey.	Faust.
Decherd.	Page.

Absent.

Dayton.	Robbins.
Henderson.	Strickland.
Johnston of Harris	

Absent—Excused.

Hudspeth.	McCollum.
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Action then recurred upon the written motion of Senator McNealus, and the same was adopted.

Bills and Resolutions.

By Senator Collins:

S. B. No. 18, A bill to be entitled "An Act to create and establish the Batson Independent School District in Hardin County, Texas."

Read first time and referred to the Committee on Education Affairs.

By Senator Clark:

S. B. No. 19, A bill to be entitled "An Act creating the Bellville Independent School District in Austin County, Texas.

Read first time and referred to the Committee on Educational Affairs.

By Senator Faust:

S. B. No. 20, A bill to be entitled "An Act to provide for the teaching of lessons in patriotism in the public schools of the State, for the proper display of the United States flag in connection with every public school of the State, and directing the State Superintendent, county and city superintendents in the discharge of their duty relative thereto."

Read first time and referred to the Committee on Educational Affairs.

By Senator Johnson of Harris:

S. B. No. 21, A bill to be entitled "An Act creating the Sugarland Independent School District in Fort Bend County, Texas, and declaring an emergency."

Read first time and referred to the Committee on Educational Affairs.

House Bill No. 15—Free Conference Committee.

Senator Parr made the following written privileged motion:

I move that the request of House for a Free Conference on House Bill No. 15 be granted, and that the following Senators be elected to represent the Senate: Senators Lattimore, Dean, Clark, Bee and Page.

PARR.

The motion was read and adopted carrying the election of the committee named.

Morning call concluded.

Senate Bill No. 17.

By unanimous consent and on request of Senator Johnson of Hall, the Chair laid before the Senate, on second reading:

S. B. No. 17, A bill to be entitled "An Act to amend Article 1361, Chapter 2, of the Revised Civil

Statutes of Texas of 1911, so as to permit the organization or reorganization of unorganized or disorganized counties upon a petition expressing such desire, signed by not less than seventy-five qualified voters, residing in such unorganized or unorganized county, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 17 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Collins.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.

Absent.

Johnston of Harris.

Absent—Excused.

Hudspeth. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Johnson of Hall, was passed by the following vote:

Yeas—28.

Alderdice.	Decherd.
Bailey.	Faust.
Bee.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry.	Hall.
Caldwell.	Henderson.
Clark.	Hopkins.
Collins.	Johnson of Hall.
Dayton.	Lattimore.
Dean.	McNealus.

Page.	Strickland.
Parr.	Suiter.
Robbins.	Westbrook.
Smith.	Woodward.

Absent.

Johnston of Harris.

Absent—Excused.

Hudspeth.	McCollum.
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Messages From the Governor.

The private secretary to the Governor here appeared at the bar of the Senate with several executive messages.

The same were laid before the Senate and read, as follows:

Governor's Office,

Austin, Texas, March 5, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. Fred J. Roemer, I submit for your consideration an Act adding to and making a part of the Port Lavaca Independent School District in Calhoun County, including the town of Port Lavaca, certain lands and territory adjoining thereto.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 5, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. V. A. Collins, I submit for your consideration an Act to create an independent school district for Batson in Hardin County, Texas.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 5, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. W. T. Williams, I submit for your consideration an Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, with reference to the mode of preventing horses and certain other animals from running at large in the

counties named so as to include Brazoria County.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 5, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. C. B. Monday, I submit for your consideration an Act to provide for the teaching of lessons in patriotism in the public schools of this State, for the proper display of the United States flag in connection with every public school of the State, and directing the State Superintendent, county and city superintendents in the discharge of their duty relative thereto.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 5, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. H. Laas, I submit for your consideration an Act creating the Sugarland Independent School District in Fort Bend County.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 5, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. W. H. Bledsoe, I submit for your consideration an Act creating and incorporating the Brownfield Independent School District in Terry County, Texas.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, March 6, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. H. J. Miller, I submit for your consideration an Act creating the

Bellville Independent School District
in Austin County, Texas.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, March 6, 1918.

To the Thirty-fifth Legislature in
Fourth Called Session.

Gentlemen: At the request of
Hon. R. L. Pillow Jr. and Hon. A. L.
Beason, I submit for your considera-
tion an Act to ratify and confirm the
action of the Board of Commis-
sioners of the City of Galveston,
passed March 1, A. D. 1918, convey-
ing and releasing to the Galveston
Dry Dock and Construction Company,
a corporation of Galveston County,
Texas, that certain area or territory
in Galveston Bay, being a part of
what is known as Pelican Island and
the flats south thereof.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

Governor's Office,
Austin, Texas, Feb. 27, 1918.

To the Thirty-fifth Legislature in
Fourth Called Session.

Gentlemen: The Thirty-fifth Leg-
islature during the Third Called Ses-
sion enacted into law Senate Bill No.
13 found in the official volume of
the Acts of said session at page 57,
Chapter 7, entitled: "An Act to es-
tablish at Ferguson Farm in Madison
County, Texas, the State Training
School for Negro Boys." Under the
provisions of this Act the duty was
imposed on the Board of Prison Com-
missioners to transfer from the State
Training School for Boys, located in
Coryell County, all negro boys to the
Ferguson State Farm in Madison
County not later than January 1,
1918, vesting in the Board of Prison
Commissioners the same powers then
reposed in the Board of Trustees of
the State Juvenile Training School
and State Training School for Boys.

Sections 4, 5, and 6 of the Act read
as follows:

"Section 4. The Board of Prison
Commissioners shall set apart for the
use of the State Training School for
Negro Boys, all necessary grounds,
lands, equipments, buildings, etc.
now under the supervision of said
Board of Prison Commissioners at
the Ferguson State Farm, which shall

be used for the State Training School
for Negro Boys, provided that the un-
expended balance of the public free
school fund apportioned to said col-
ored juveniles at Gatesville in Coryell
County be transferred for their credit
to Madison County.

"Section 5. All laws and parts of
laws in conflict with this Act are
hereby expressly repealed: The ap-
propriation of \$50,000 for the pur-
chase of land, made at the first called
session of the Thirty-fifth Legisla-
ture, shown on page 93 of the said
special or called session, is hereby
in all things repealed.

"Section 6. That the sum of
Twenty-five thousand (\$25,000) Dol-
lars be and is hereby appropriated
out of any funds now in the State
Treasury, not otherwise appropriated,
to be used by said Commissioners in
making this transfer and otherwise
carrying out the provisions of this
Act."

This bill became effective Decem-
ber 26, 1917. Prior to October 16
the Board of Prison Commissioners
started their investigation as to the
ways and means of putting the law
into effect. On the date last named
the Board of Prison Commissioners
addressed a communication to the
Attorney General asking for a con-
struction and interpretation to be
placed on several provisions of the
Act. In this communication the
Board suggested, among other things,
as their opinion that the \$25,000 pro-
vided would be inadequate to carry
out the provisions of the Act, sub-
mitting to the Attorney General the
fact that an estimate had been made
by an architect that the expenditure
would be at least \$200,000 if neces-
sary buildings, school, chapel and
other equipment and facilities were
provided. Information was also
sought as to whether any of the
funds belonging to the Prison Com-
mission could be used in carrying out
the provisions of the law. The opin-
ion of the Attorney General, dated
October 29, 1917, reads as follows:

"Board of Prison Commissioners,
Huntsville, Texas.

"Gentlemen: In your letter ad-
dressed to the Attorney General you
call our attention to an Act of the
Third Called Session of the Thirty-
fifth Legislature establishing a State
Training School for Negro Boys, to be
located on the Ferguson State Farm

in Madison County, which act appropriates the sum of \$25,000 to be used in transferring the negro boys from the training school in Coryell County, and in otherwise carrying out the provisions of the Act. You then propound several questions for solution by this department.

"You desire an opinion from this department as to the validity of this law. We see no constitutional objection to an act of this character. What is termed the Ferguson State Farm was purchased by the Board of Prison Commissioners under authority given that Board by Article 6184 of the Revised Statutes, and while the land may have been conveyed to the Board of Prison Commissioners, yet in fact this land belongs to the State, and the Board merely holds same in trust for the State. The State through the Legislature would have the right to divert any part or all of the lands held in the name of the Prison Commission from the purpose for which they were purchased and to make use of the same for any purpose that might be determined by the Legislature. The fact that the Prison Commission executed vendors lien notes for the total consideration would not affect the right of the Legislature if it deems advisable, to erect buildings and make other improvements on this land.

"The Act of the Legislature in question vests the control and management of the school in the Board of Prison Commissioners, with the provision that all laws, rules and regulations now governing the State Training School for Boys, so far as applicable, shall be observed by the Commission. It will of course be necessary for the Commission to keep the accounts of these two institutions separate.

"The Prison Commission having executed the notes or bonds for \$100,000, purchase money of this farm, would of course remain bound thereon until such time as the Legislature, if it saw fit, should otherwise provide for the payment of such indebtedness. This debt is secured of course by lien against the property, and the Prison Commission could not escape liability thereon.

"You further state that the \$25,000 appropriated will be wholly insufficient to construct the necessary buildings, school, chapel and other

equipment and facilities necessary and that at least \$200,000 will be required for such purposes. This is a question for the Legislature to determine, and if the \$25,000 is insufficient it will be necessary that the Legislature make such additional appropriations as are required.

"You also call attention to the fact that the law creating a training school for boys makes no division of the general appropriation passed for the State Juvenile Training School for the two fiscal years, ending August 31, 1918, and August 31, 1919, and you desire to know whether or not any part of that appropriation will be available for the maintenance of the State Training School for Negro Boys. This presents a somewhat difficult question. The Act creating the school for negro boys makes no appropriation whatever for the maintenance of that institution. The only appropriation contained therein is the \$25,000 appropriated to be used by the Commissioners in making the transfer of the boys and otherwise carrying out the provisions of the Act. Section 4 of this Act provides in substance that the Board of Prison Commissioners shall set apart for the use of the training school all necessary grounds, lands, equipment, buildings, etc., now under the supervision of said Board of Prison Commissioners at the Ferguson State Farm. This provision of the Act seems to indicate that the Legislature was of the opinion that the buildings and equipment on said farm were sufficient to house the negro boys that would be sent to such school. The general purpose of the act is to maintain a school of the character indicated, and the Legislature having appropriated \$25,000 for carrying out the provisions of the Act, the expense of the maintenance of such institution should be borne from this \$25,000 appropriated, if sufficient. On the other hand, it is not reasonable to suppose that the Legislature intended to take any considerable number of inmates of the State Training School for Boys from that institution and to place such boys in an institution of similar character and leave the entire appropriation for such first institution to be expended upon a much smaller number of inmates than was originally contemplated. However, there

is nothing in the Act creating the school for negro boys to indicate the purpose on the part of the Legislature to deprive the school in Coryell County of any of the appropriation made for it by the First Called Session, and this department does not feel at liberty to read into the new Act such intention on the part of the law-making body. The Legislature evidently intended for this school for the negro boys to be maintained at the expense of the State. However, the only appropriation made by the Act for carrying out its provisions is the \$25,000 referred to, and it is only to this appropriation that the Prison Commission may look for support. If it is insufficient deficiency warrants might be issued for the maintenance of the school, or at some subsequent session of the Legislature an appropriation could be made therefor. We are not familiar with the conditions of this farm and of course are unable to say just what might have been in the minds of the Legislature in making this appropriation.

"There is nothing in the Act that would authorize the Prison Commission to expend any prison funds in the maintenance of this institution, and consequently the Commission would have no authority to expend prison funds in its maintenance, or for any other purpose in connection therewith.

"Yours truly,
(Signed) "C. W. TAYLOR,
Assistant Attorney General."

The Board of Prison Commissioners have called attention to the fact that it is the settled policy of the State to construct fireproof buildings for institutions of this character. Under the circumstances, the Board of Prison Commissioners did not feel authorized to proceed further in removing the negro inmates to the Ferguson State Farm, and this entire matter is submitted to your body for such action as you may desire to take.

Respectfully submitted,
W. P. HOBBY,
Governor of Texas.

House Bill No. 9.

The Chair laid before the Senate on second reading:

H. B. No. 9, A bill to be entitled "An Act to prevent and prohibit in time of war the sale, barter or exchange of spirituous, vinous and malt liquors or medicated bitters capable of producing intoxication, within ten miles of any, fort, arsenal, training camp, cantonment, aviation field or school where soldiers are being quartered, held or trained in time of war in any branch of the army or navy of the United States; to prevent and prohibit the transportation of such liquors into such territory; to provide against application for suspended sentence in such cases; to prohibit the issuance of liquor licenses in such territory; to provide suitable punishment in such cases, and declaring an emergency."

The bill was read and on motion of Senator Westbrook the same was laid on the table subject to call.

House Bill No. 21.

The Chair laid before the Senate on second reading:

H. B. No. 21, A bill to be entitled "An Act making appropriation of two thousand dollars, as a fund to the Agricultural and Mechanical College at Bryan, Texas, for the purpose of experimenting and treatment of the Yucca Filamentosa, with the view of preparing same for stock food, this plant being in great abundance in the drouth stricken section of the State, and providing an emergency."

The committee report that the bill be not printed was adopted.

On motion of Senator Caldwell the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 21 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Collins.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Woodward.
Floyd.	

Nays—2.
 Sulter. Westbrook.
 Absent.

Gibson. Johnston of Harris.
 Absent—Excused.

Hudspeth. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed by the following vote:

Yeas—21.

Alderdice.	Faust.
Bailey.	Floyd.
Bee.	Hall.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Lattimore.
Clark.	Page.
Collins.	Parr.
Dayton.	Strickland.
Dean.	Woodward.
Decherd.	

Nays—6.

Henderson.	Smith.
McNealus.	Suiter.
Robbins.	Westbrook.

Absent.

Gibson. Johnston of Harris.

Absent—Excused.

Hudspeth. McCollum.

Senate Bill No. 18.

Senator Collins moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 18 put on its second reading.

The motion prevailed by the following vote:

Yeas—25.

Alderdice.	Faust.
Bailey.	Floyd.
Bee.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Henderson.
Caldwell.	Hopkins.
Collins.	Johnson of Hall.
Dayton.	Lattimore.
Dean.	McNealus.
Decherd.	Page.

Robbins.	Westbrook.
Smith.	Woodward.
Suiter.	

Absent.

Clark.	Parr.
Johnston of Harris.	Strickland.

Absent—Excused.

Hudspeth. McCollum.

The Chair laid before the Senate on second reading:

S. B. No. 18, A bill to be entitled "An Act to create and establish the Batson Independent School District in Hardin County, Texas."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Collins, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 18 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Collins.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Decherd.	Suiter.
Faust.	Westbrook.
Floyd.	Woodward.
Gibson.	

Absent.

Johnston of Harris. Strickland.

Absent—Excused.

Hudspeth. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Collins, was passed by the following vote:

Yeas—26.

Alderdice.	Buchanan of Scurry.
Bailey.	Caldwell.
Bee.	Clark.
Buchanan of Bell.	Collins.

Dayton.	Johnson of Hall.
Dean.	Lattimore.
Decherd.	McNealus.
Faust.	Page.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Henderson.	Suiter.
Hopkins.	Westbrook.

Absent.

Johnston of Harris. Woodward.
Strickland.

Absent—Excused.

Hudspeth. McCollum.

Senate Bill No. 19.

Senator Clark moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 19 put on its second reading.

The motion prevailed by the following vote:

Yeas—24.

Bailey.	Gibson.
Bee.	Henderson.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Faust.	Suiter.
Floyd.	Westbrook.

Absent.

Alderdice. Woodward.
Hall. Strickland.
Hopkins.

Absent—Excused.

Hudspeth. McCollum.

The Chair laid before the Senate on second reading:

S. B. No. 19, A bill to be entitled "An Act creating the Bellville Independent School District in Austin County, Texas, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 19 put on its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Gibson.
Bee.	Henderson.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Suiter.
Faust.	Westbrook.
Floyd.	

Absent.

Alderdice. Smith.
Hall. Strickland.
Hopkins. Woodward.

Absent—Excused.

Hudspeth. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Clark, was passed by the following vote:

Yeas—26.

Bailey.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	Lattimore.
Collins.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Faust.	Smith.
Floyd.	Suiter.
Gibson.	Westbrook.

Absent.

Alderdice. Woodward.
Strickland.

Absent—Excused.

Hudspeth. McCollum.

House Bill No. 13.

The Chair laid before the Senate on second reading:

H. B. No. 13, A bill to be entitled

"An Act to prohibit the purchase or procuring for, or the sale, gift or delivery to any person engaged or enlisted in the military or naval forces of the United States, of any spirituous, vinous, or malt liquors, or medicated bitters capable of producing intoxication; prescribing a penalty for the violation of this Act; and declaring an emergency."

The bill was read and Senator Bee offered the following amendments which were read and adopted, being voted upon separately:

(1) Amend the bill by striking out the word "allies" in line 20, page 1, and insert in lieu thereof, the word "associates."

(2) Amend the bill by striking out the word "allies" in line 31, page 1, and insert in lieu thereof the word "associates."

(3) Amend the bill by striking out the word "allies" in line 16, page 2, and insert the word "associates."

The bill was read second time and passed to its third reading.

On motion of Senator Collins, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 13 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Clark.	Lattimore.
Collins.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Faust.	Smith.
Floyd.	Suiter.
Gibson.	Westbrook.
Hall.	Woodward.

Absent.

Bailey.	Strickland.
Caldwell.	

Absent—Excused.

Hudspeth.	McCollum.
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The bill was laid before the Senate, read third time and, on motion of Senator Collins, was passed by the following vote:

Yeas—27.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent.

Bailey.	Strickland.
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Absent—Excused.

Hudspeth.	McCollum.
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At Ease.

By unanimous consent and on request of Senator Collins, the Senate stood at ease for fifteen minutes.

In the Senate.

President Pro Tem. Decherd in the chair.

Senate Bill No. 21.

Senator Johnston of Harris moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 21 put on its second reading.

The motion prevailed by the following vote:

Yeas—24.

Alderdice.	Hall.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Dayton.	Parr.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Gibson.	Westbrook.

Absent.

Caldwell.	Robbins.
Floyd.	Woodward.
Johnson of Hall.	

Absent—Excused.

Hudspeth. McCollum.

The Chair laid before the Senate on second reading:

S. B. No. 21, A bill to be entitled "An Act creating the Sugar Land Independent School District in Fort Bend County, Texas and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Johnston of Harris, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 21 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Dayton.	Parr.
Dean.	Smith.
Decherd.	Strickland.
Faust.	Suiter.
Gibson.	Westbrook.
Hall.	

Absent.

Caldwell.	Robbins.
Floyd.	Woodward.

Absent—Excused.

Hudspeth. McCollum.

The bill was laid before the Senate, read third time and, on motion of Senator Johnston of Harris, was passed by the following vote:

Yeas—25.

Alderdice.	Faust.
Bailey.	Gibson.
Bee.	Hall.
Buchanan of Bell.	Henderson.
Buchanan of Scurry.	Hopkins.
Clark.	Johnson of Hall.
Collins.	Johnston of Harris.
Dayton.	Lattimore.
Dean.	McNealus.
Decherd.	Page.

Parr.	Suiter.
Smith.	Westbrook.
Strickland.	

Absent.

Caldwell.	Robbins.
Floyd.	Woodward.

Absent—Excused.

Hudspeth. McCollum.

Simple Resolution No. 26.

(By unanimous consent.)

Whereas, The attention and effort of the loyal citizens of Texas should be concentrated as far as possible on all things pertaining to the winning of the war, and their minds should not be diverted by politics or heated campaigns for office such as constitute the usual diversion of the Texas voter every other year, and

Whereas, there is need for every penny that can be used and invested in Government securities to aid in winning the war, and the anxious candidates for office would not only be enabled to save time, nerve force, and mental agony, but could estimate the extra cost of a long campaign and invest some in thrift certificates; now therefore, be it

Resolved, That the Governor be invited to submit to the Legislature the subject matter of moving up the date of the primary elections to May 30, as a war measure, and same only to apply to the year 1918.

LATTIMORE.

The resolution was read and on motion of Senator Lattimore, the same was laid on the table subject to call.

Simple Resolution No. 27.

Whereas, Eighty-two years ago today, the last of the heroic band of Texans met, within the walls of the Alamo, undaunted and unafraid, the final test of devotion to one's country, and

Whereas, Their descendants and those they served are now engaged in the mighty struggle for democracy and are ready to meet, also undaunted and unafraid, their final sacrifice for their country; therefore, be it

Resolved, That when the Senate adjourn today it be in commemoration of the heroes of the Alamo and in appreciation of the heroes of the present world-wide struggle for freedom.

BEE.

The resolution was read and adopted by a unanimous vote.

Address by Senator Bee.

Senator Alderdice moved that the Senator from Bexar be invited to address the Senate upon the subject of the heroes of the Alamo.

The motion prevailed and the Chair appointed Senators Alderdice, Collins and Lattimore as a committee to escort Senator Bee to the President's stand, whereupon he was presented to the Senate and made a patriotic address.

Adjournment.

At 4:25 o'clock p. m. the Senate, on motion of Senator Clark, adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Senators Hall, Buchanan of Bell and Johnston of Harris offered numerous signed petitions from citizens of their districts, against changing election laws of the State.

Senator Buchanan of Bell offered a letter from Temple asking a hearing before committees of Legislature of the sheriff of Bell County et al., who desire that it be made a felony to transport liquor through dry territory.

Senator Smith presented two telegrams from Hon. Jos. W. Bailey, the first stating his intention to address the Legislature the latter part of this week; the second cancelling the engagement because of the passage of the resolution ratifying the Federal prohibition amendment.

Senator Smith offered a telegram from A. W. Logan of Dallas with congratulations of friends in Kansas upon ratification of National prohibition amendment.

The Chair laid before the Senate a numerously signed telegram from shipbuilders of Beaumont opposing the zone bill in so far as same might be made to apply to shipbuilding plants.

President Pro Tem. Decherd offered several telegrams favoring woman suffrage, from the following places: Houston, El Paso and Texarkana.

Senator Johnston of Harris offered a telegram urging appropriation to refund amount of unexpired liquor license and amount of war tax paid on unsold liquor.

Senator Johnston of Harris offered a numerously signed petition from citizens of Humble, Texas, opposing the zone bill, in so far as Humble is concerned.

Committee Reports.

(Floor Report.)

Senate Chamber.

Austin, Texas, March 6, 1918,

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Counties and County Boundaries to whom was referred

S. B. No. 17, A bill to be entitled "An Act to amend Article 1361, Chapter 2, of the Revised Civil Statutes of Texas 1911, so as to permit the organization or reorganization of unorganized or disorganized counties upon a petition expressing such desires, signed by not less than seventy-five voters, residing in such unorganized or disorganized county, and declaring an emergency,"

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

Parr, Chairman; Smith, Clark, Johnston, Woodward.

(Floor Report.)

Senate Chamber.

Austin, Texas, March 6, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred

S. B. No. 18, A bill to be entitled "An Act to create and establish the Batson Independent School District in Hardin County, Texas,"

Have had the same under consid-

eration and beg leave to report same back to the Senate with recommendation that it do pass and be not printed.

Bee, Chairman; Gibson, Dayton, Lattimore, Dean, Johnson of Hall, Robbins, Buchanan of Scurry, Floyd, Smith, Decherd, Bailey, Faust, Page.

(Floor Report.)

Senate Chamber.

Austin, Texas, March 6, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred S. B. No. 19, A bill to be entitled "An Act creating the Bellville Independent School District in Austin County, Texas, defining its metes and bounds; vesting it with rights, powers, duties and privileges of independent school districts incorporated for free school purposes only under the General Laws of this State; providing a board of trustees therefor; providing that the outstanding bonded indebtedness of the Bellville Independent School District as same was incorporated under the General Laws of this State shall be assumed by the Bellville School District as created by this Act; providing that the local maintenance tax heretofore voted by the legally qualified voters of said district as originally incorporated under the General Laws shall be continued until such time as may be changed by vote of a majority of qualified voters of this district; providing that the members of the board of trustees of said Bellville Independent School District as heretofore incorporated under the General Laws shall continue in office until their respective terms shall have expired; providing that the board of trustees shall administer the affairs of this district as hereby created as is provided by the General Laws of this State; providing that in case any clause or section of this Act is declared unconstitutional such action by the court shall not invalidate the remaining clauses or sections of this Act and declaring an emergency."

Have had same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Bee, Chairman; Lattimore, Page,

Gibson, Johnson of Hall, Dayton, Dean, Faust, Bailey.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 6, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred S. B. No. 21, A bill to be entitled "An Act creating the Sugar Land Independent School District in Fort Bend County, Texas; defining its boundaries; providing for a board of trustees in said independent school district and prescribing their qualification and terms of office, defining the rights, powers and privileges and compensation of the president and the secretary of the board of trustees of said independent district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees; providing for the creation of a board of trustees; providing for the raising of revenue, issuing bonds, building and maintaining school houses, maintaining public free schools; declaring valid an issue of bonds heretofore made; declaring valid a maintenance tax heretofore voted, repealing all laws or parts of laws conflicting herewith and providing that in case any clause or section of this Act is declared unconstitutional, such action by the court shall not invalidate the remaining sections and clauses of this Act, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Bee, Chairman; Bailey, Robbins, Lattimore, Buchanan of Scurry, Gibson, Dayton, Decherd, Faust, Smith.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 6, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred S. B. No. 20, A bill to be entitled "An Act to provide for the teaching

of lessons in patriotism in the public schools of this State, for the proper display of the United States flag in connection with every public school of the State, and directing the State Superintendent, county and city superintendents in the discharge of their duty relative thereto, and providing an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Bee, Chairman; Faust, Page, Dayton, Gibson, Lattimore, Buchanan of Scurry, Alderdice, Bailey, Hall, Smith.

NINTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, March 7, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

The roll was called, a quorum being present, the following Senators answering to their names.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Dayton.	Parr.
Dean.	Robbins.
Decherd.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	Woodward.
Hall.	

Absent.

Smith.

Absent—Excused.

Bailey.	McCollum.
Hudspeth.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Excused.

Senator Bailey for today, on account of sickness, on motion of Senator Clark.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 7, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House Bill No. 14, by the following vote: Yeas, 99; nays, 5.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Bills and Resolutions.

By Senators Alderdice, McNealus and Robbins:

S. B. No. 22, A bill to be entitled "An Act to provide for the creation of conservation and reclamation districts within this State under and by virtue of the provisions of Section 59 of Article 15 of the State Constitution, to be known as Levee Improvement Districts, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

Simple Resolution No. 28.

Whereas, The Hon. W. M. Imboden, an ex member of this body is now in the city; therefore be it

Resolved, That he be extended the privilege of the floor and be requested not to speak.

STRICKLAND.

McNEALUS.

The resolution was read and adopted. Ex-Senator Imboden was introduced to the Senate and made a brief address.

Simple Resolution No. 29.

Whereas, The handsome, rich, de-